

U.S. MAGISTRATE JUDGE TIFFANY CARTWRIGHT

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
SEATTLE DIVISION

AMANDA Q,

Plaintiff,

vs.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

Civil No. 2:24-cv-00972-TMC

ORDER RE: PLAINTIFF'S MOTION
FOR EAJA FEES

For the reasons set forth in the parties' stipulated motion for attorney fees under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412, et seq., and good cause shown, IT IS HEREBY ORDERED AS FOLLOWS:

Plaintiff is here by awarded \$13,133.97 in fees and expenses under the EAJA. Under *Astrue v. Ratliff*, 130 S. Ct. 2521, 2528-29 (2010), EAJA fees awarded by this Court belong to the Plaintiff and are subject to offset under the Treasury Offset Program (31 U.S.C. § 3716(c)(3)(B) (2006)). Any EAJA fees should therefore be awarded to Plaintiff and not to Plaintiff's attorney. If, after receiving the Court's EAJA fee order, the Commissioner (1) determines that Plaintiff has assigned her right to EAJA fees to her attorney; (2) determines that

1 Plaintiff does not owe a debt that is subject to offset under the Treasury Offset Program, and (3)
2 agrees to waive the requirements of the Anti-Assignment Act, then the EAJA fees will be made
3 payable to Plaintiff's attorney, George Andre Fields, per assignment from Plaintiff. However, if
4 there is a debt owed under the Treasury Offset Program, the Commissioner cannot agree to
5 waive the requirements of the Anti-Assignment Act, and the remaining EAJA fees after offset
6 will be paid by a check or electronic fund transfer (EFT) made out to Plaintiff but delivered to
7 Plaintiff's attorney.
8

9 This award is without prejudice to the rights of the Law Office of George Andre Fields to
10 seek Social Security Act attorney fees under 42 U.S.C. § 406(b), subject to the savings clause
11 provisions of the EAJA pursuant to the terms of the stipulation.
12

13 DATED this 19th day of May, 2025.

14 

15 UNITED STATES DISTRICT JUDGE
16

17 Respectfully submitted,
18

19 TEAL LUTHY MILLER
20 Acting United States Attorney

21 REBECCA S. COHEN
22 Assistant United States Attorney

23 MATHEW W. PILE
24 Associate General Counsel
Office of Program Litigation, Office 7

25 s/ John B. Drenning
26 JOHN B. DRENNING
27 Special Assistant United States Attorney
Office of the General Counsel
28 Social Security Administration

6401 Security Boulevard
Baltimore, MD 21235
Telephone: (206) 615-3857
john.drenning@ssa.gov

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